

## REMARKS

In the Office Action mailed from the United States Patent and Trademark Office on November 10, 2003, the Examiner rejected claims 10, 12-13 and 18-19 under 35 U.S.C. § 103(a) as being unpatentable over Kolling et al (U.S. Patent No. 5,920,847, hereinafter "Kolling") in view of Anderson et al (U.S. Patent No. 6,058,380, hereinafter "Anderson"), rejected claims 11, 14-16 and 20 under 35 U.S.C. § 103(a) as being unpatentable over Kolling in view of Anderson and further in view of Thomson (U.S. Patent No. 4,948,174, hereinafter "Thomson"), rejected claim 17 under 35 U.S.C. § 103(a) as being unpatentable over Kolling in view of Anderson and Thomson and further in view of Ferguson et al (U.S. Patent No. 6,336,094, hereinafter "Ferguson"), and rejected claim 21 under 35 U.S.C. § 103(a) as being unpatentable over Kolling in view of Anderson and further in view of Ferguson. Accordingly, Applicant respectfully provides the following:

### Rejection under 35 U.S.C. § 103(a)

Applicant respectfully submits that the claim set as provided herein is not made obvious by the cited references. The standard for a Section 103 rejection is set forth in M.P.E.P 706.02(j), which provides:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or combine reference teachings. Second, there must be a reasonable expectation of success. Finally, **the prior art reference (or references when combined) must teach or suggest all the claim limitations.** The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). (Emphasis added).

Applicant respectfully submits that the references cited by the Examiner do not teach or suggest the limitations claimed in the present invention. In particular, independent claims 10 and 18 include limitations relating to providing a customer computer system comprising an electronic accounting application and a local electronic payment processing interface; receiving electronic print data at the local electronic payment processing interface from the electronic accounting application; using the print data to selectively generate an electronic payment file at the local electronic payment processing interface; and selectively transmitting the electronic payment file from the local electronic payment processing interface to a third-party electronic payment processing center for the payment of the amount owed to the vendor. These limitations are supported in the original disclosure of the application. An example of such support is located in the disclosure from page 8, line 4 through page 10, line 20 of the application as originally filed.

None of the references cited by the Examiner, alone or in any combination, teaches or suggests providing the customer computer system comprising an electronic accounting application and the local electronic payment processing interface; receiving electronic print data at the local electronic payment processing interface from the electronic accounting application; using the print data to selectively generate an electronic payment file at the local electronic payment processing interface; and selectively transmitting the electronic payment file from the local electronic payment processing interface to a third-party electronic payment processing center for the payment of the amount owed to the vendor. For at least this reason, Applicant respectfully submits that no prima facie case of obviousness is established since the prior art references do not teach or suggest all the claim limitations.

Applicant respectfully submits that for at least the reasons provided herein, the references cited by the Examiner, alone or in combination, do not make obvious independent claims 10 and

18. And, since claims 11-14 and 17 depend from independent claim 10 and claims 19-21 depend from independent claim 18, Applicant further submits that for at least the reasons provided herein, the references cited by the Examiner, alone or in combination, do not make obvious claims 11-14 and 17 nor claims 19-21. Thus, Applicant respectfully submits that the claim set overcomes all rejections made by the Examiner in the Office Action.

CONCLUSION

Applicant submits that the amendments made herein do not add new matter and that the claims are now in condition for allowance. Accordingly, Applicant requests favorable reconsideration. If the Examiner has any questions or concerns regarding this communication, the Examiner is invited to call the undersigned.

DATED this 10 day of February, 2004.

Respectfully submitted,

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